Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

1.   (Currently amended) A wireless communications device comprising:

a transmitter configured to transmit a query to a destination communication device, the query being about packet sizes that are recognizable by the destination communication device;

a receiver configured to receive a response to the query information from the destination communication device, the response indicating received information corresponding to the packet sizes that are recognizable by the destination communication device in response to the query;

a determining device configured to[[:]] select an appropriate packet size for transmission data to be packetized, the appropriate packet size being selected according to:

the received information response indicating corresponding to the packet sizes that are recognizable by the destination communication device; [[and]] or

if a retransmission request that occurs while packets are being transmitted, determine a smaller appropriate packet size than the previously selected most appropriate packet size in response to detecting a communication error or traffic congestion between the wireless communications device and the destination communication device, the retransmission request occurring while packets are being transmitted,

wherein the appropriate packet size is smaller than the packet sizes that are recognizable by the destination communication device; and

a packet generator configured to packetize the transmission data based on the appropriate packet size determined by the determining device.

2.   (Cancelled)

3.   (Cancelled)

4.   (Currently amended)   The wireless communications device according to claim 1, further comprising:

a storage device configured to store information with respect to the packet sizes that are recognizable by the destination communication device.

5.   (Cancelled)

6.   (Cancelled)

7.   (Currently amended)   A method for determining packet sizes for transmission data to be packetized and transmitted from a communication terminal device to a destination communication device, the method comprising:

transmitting a query to the destination communication device, the query being about packet sizes that are recognizable by the destination communication device;

receiving a response to the query ~~information~~ from the destination communication device, the response indicating ~~received information corresponding to~~ the packet sizes that are recognizable by the destination communication device ~~in response to the query~~;

selecting [[a]] an appropriate packet size for transmission data to be packetized, the appropriate packet size being selected according to:

the response indicating ~~received information corresponding to~~ the packet sizes that are recognizable by the destination communication device; or ~~, wherein if a retransmission request occurs while packets are being transmitted, a smaller packet size than the previously selected packet size is selected~~

a retransmission request that occurs in response to detecting a communication error or traffic congestion between the communication terminal device and the destination communication device, the retransmission request occurring while packets are being transmitted, wherein the appropriate packet size is smaller than the packet sizes that are recognizable by the destination communication device; and

packetizing the transmission data according to the appropriate packet size selected.

8.   (Previously Presented)   The method according to Claim 7, further comprising transmitting the packetized transmission data from the communication terminal device to the destination communication device.

9.   (Currently amended)   The method according to Claim 7, further comprising determining whether information regarding the packet sizes recognizable by the destination communication device is stored in a memory of the communication terminal device.

10.   (Currently amended)   The method according to Claim 8, further comprising:

generating the receiving, after the transmitting, a retransmission request requesting a different packet size after the transmitting;

repacketizing the transmission data into a different packet size according to the retransmission request; and

transmitting the repacketized transmission data to the destination communication device.

11.   (Cancelled)

12.   (Currently amended)   [[A]]An article of manufacture including a tangible computer-readable medium having encoded with instructions stored thereon, execution of which by a computing device cause the computing device to perform operations instructions comprising:

instructions for transmitting a query to a destination communication device, the query directed to packet sizes that are recognizable by the destination communication device;

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~~instructions for~~ receiving <u>a response to the query</u> ~~information~~ from the destination communication device, the <u>response indicating</u> ~~received information corresponding to~~ the packet sizes that are recognizable by the destination communication device ~~in response to the query~~;

~~instructions for~~ selecting an appropriate packet size for transmission data to be packetized, the appropriate packet size being selected according to<u>:</u>

the <u>response indicating</u> ~~received information corresponding~~ to the packet sizes that are recognizable by the destination communication device<u>; or</u>~~, wherein if a retransmission request occurs while packets are being transmitted, a smaller packet size than the previously selected packet size is selected~~

<u>a retransmission request that occurs in response to detecting a communication error or traffic congestion between the computing device and the destination communication device, the retransmission request occurring while packets are being transmitted, wherein the appropriate packet size is smaller than the packet sizes that are recognizable by the destination communication device</u>; and

~~instructions for~~ packetizing the transmission data according to the <u>appropriate</u> packet size selected.

13. (Currently amended) The <u>article of manufacture</u> ~~tangible computer-readable medium~~ according to Claim 12, ~~wherein~~ the ~~instructions~~ <u>operations</u> further <u>comprising</u>~~comprise~~:

~~instructions for~~ transmitting the packetized transmission data to the destination communication device.

14.   (Currently amended)   The <u>article of manufacture</u> ~~tangible computer readable medium~~ according to Claim 13, ~~wherein~~ the ~~instructions~~ <u>operations</u> further <u>comprising</u>~~comprise~~:

        ~~instructions for generating the~~ <u>receiving, after the tranmitting, a</u> retransmission request requesting a different packet size ~~after the transmitting~~;

        ~~instructions for~~ repacketizing the transmission data into a different packet size according to the retransmission request; and

        ~~instructions for~~ transmitting the repacketized transmission data to the destination communication device.

15.   (Currently amended)   The <u>article of manufacture</u> ~~tangible computer readable medium~~ according to Claim 12, ~~wherein~~ the ~~instructions~~ <u>operations</u> further <u>comprising</u>~~comprise~~:

        ~~instructions for~~ determining whether information regarding <u>the</u> packet sizes recognizable by the destination communication device is stored in a memory.

16.   (Currently amended)   A communication terminal device configured to determine packet sizes for transmission data to be packetized and transmitted to a destination communication device, the communication terminal device comprising:

a transmitter configured to transmit a query to the destination communication device, the query being about packet sizes that are recognizable by the destination communication device;

means for receiving ~~information~~ a response to the query from the destination communication device, the response indicating ~~received information corresponding to~~ packet sizes that are recognizable by the destination communication device ~~in response to the query~~;

means for selecting an appropriate packet size for transmission data to be packetized, the appropriate packet size being selected according to:

the response ~~received information~~ corresponding to the packet sizes that are recognizable by the destination communication device; or~~,~~

~~wherein if a retransmission request occurs while packets are being transmitted, a smaller packet size than the previously selected packet size is selected~~

a retransmission request that occurs in response to detecting a communication error or traffic congestion between the communication terminal device and the destination communication device occurring while packets are being transmitted, wherein the appropriate packet size is smaller than the packet sizes that are recognizable by the destination communication device; and

means for packetizing the transmission data according to the appropriate packet size selected.

17.   (Cancelled)

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18.   (Previously presented) The communication terminal device of claim 16, further comprising:

means for storing information with respect to the packet sizes that are recognizable by the destination communication device.

19.   (Cancelled)

20.   (Currently amended) The <u>wireless communication</u> device according to Claim 1, wherein <u>the determining device is configured to perform the selecting of</u> the appropriate packet size ~~is further selected~~ according to <u>one or more of a status of radio waves received by the wireless communications device or</u> current traffic congestion of a communication <u>medium</u> ~~media~~ that the transmission data is to be transmitted over.

21.   (Currently amended) The method according to Claim 7, wherein the ~~appropriate packet size is further~~ <u>selected</u> <u>selecting the appropriate packet size comprises selecting</u> according to <u>one or more of a status of radio waves received by the communication terminal device or</u> current traffic congestion of a communication medium ~~media~~ that the transmission data is to be transmitted over.

22.   (Currently amended) The <u>article of manufacture</u> ~~tangible computer-readable medium~~ according to Claim 12, wherein the <u>selecting the appropriate packet size comprises selecting</u> according to <u>one or more of a status of radio waves received by</u>

the computing device or current traffic congestion of a communication medium media

that the transmission data is to be transmitted over.

23.   (Currently amended) The communication terminal device of Claim 16,

wherein the means for selecting the appropriate packet size selects according to one or

more of a status of radio waves received by the computing device or current traffic

congestion of a communication medium media that the transmission data is to be

transmitted over.